

# **EXHIBIT 7**

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December 14, 2012

VIA E-MAIL ONLY

\* ALSO ADMITTED IN NEW YORK  
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Michael C. Driscoll  
Vice President and Senior Counsel  
M&T Bank  
One M&T Plaza  
Buffalo, NY 14203

**Re: Aldo Vera v. Cuba, No. 12 Civ. 1596 (SDNY)**

Dear Mr. Driscoll:

I am co-counsel with Anderson Kill & Olick for the plaintiff in the above action. I reviewed the Response submitted by you to the information subpoena served on M&T Bank. I am surprised that your Bank has refused all information and, unless we can resolve the dispute, see the only course of action as filing a motion to compel with the federal court in New York City.

As you know from the Restraining Notice, the underlying judgment in this case is for terrorism. Federal law permits a plaintiff with a judgment against a State Sponsor of Terrorism to execute on blocked assets of the State. Your Bank was notified by the Office of Foreign Asset Control ("OFAC") last February that a request had been made for information about blocked Cuban accounts at your Bank. In June, OFAC released to me the names of banks holding more than \$10,000 of Cuban blocked accounts, as reported by the banks to OFAC. Your Bank was listed. So the information subpoena to your Bank is clearly well grounded, and OFAC is well aware of the information subpoena.

The objections you raised to the subpoena are numerous, so it hard for me to understand what accommodation I might make to resolve this dispute. If your concern is confidentiality, I am willing to enter into an appropriate protective order, such as the one other major banks have signed on together with the United States Attorneys Office, representing OFAC.

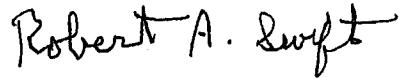
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CONTINUATION SHEET NO. 2

MR. MICHAEL C. DRISCOLL  
DECEMBER 14, 2012

I look forward to hearing from you. But if I do not hear from you by December 18, I will assume that your Bank has no interest in resolving this dispute and would prefer that I file a motion with the Court to obtain a resolution.

Very truly yours,



Robert A. Swift

RAS/yr